

UNITED STATES DISTRICT COURT

for the
Western District of Virginia

OCT 30 2014

JULIA C. DODLEY, CLERK
BY: *[Signature]*
DEPUTY CLERK

In the Matter of the Search of
(Briefly describe the property to be searched
or identify the person by name and address)

Facebook, Inc.
Electronic Storage Databases

Case No. 1:14MJ00233

APPLICATION FOR A SEARCH WARRANT

I, a federal law enforcement officer or an attorney for the government, request a search warrant and state under penalty of perjury that I have reason to believe that on the following person or property (identify the person or describe the property to be searched and give its location):

Facebook, Inc. electronic internet protocol account activation records and subscriber records.

located in the Western District of Virginia, there is now concealed (identify the person or describe the property to be seized):

PLEASE SEE ATTACHMENT B & C.

The basis for the search under Fed. R. Crim. P. 41(c) is (check one or more):

- ☒ evidence of a crime;
- ☐ contraband, fruits of crime, or other items illegally possessed;
- ☐ property designed for use, intended for use, or used in committing a crime;
- ☒ a person to be arrested or a person who is unlawfully restrained.

The search is related to a violation of:

Code Section

Offense Description

18 U.S.C., Sec. 371, 513 (a) CONSPIRACY TO DEFRAUD THE UNITED STATES

The application is based on these facts:

PLEASE SEE ATTACHMENT A.

- ☒ Continued on the attached sheet.
- ☐ Delayed notice of days (give exact ending date if more than 30 days:) is requested under 18 U.S.C. § 3103a, the basis of which is set forth on the attached sheet.

[Signature]
Applicant's signature

Deputy US Marshal, James R. Satterwhite, III

Printed name and title

Sworn to before me and signed in my presence.

Date:

10/30/14

City and state: Abingdon, Virginia

[Signature]
Judge's signature

Honorable Pamela M. Sargent, USMJ

Printed name and title

Attachment (A)

Application for Search Warrant

Facebook, Inc.

Electronic Storage Databases

I, James R. Satterwhite, III, a Deputy U.S. Marshal assigned to the Western District of Virginia, Abingdon Division, swear the following statement to be true and accurate to the best of my knowledge.

I am employed as a Deputy United States Marshal and have been so employed since October 2005. My duties as a Deputy U.S. Marshal include the location and apprehension of both federal and state fugitives and the investigation of various crimes against the United States of America. During that time, I have had extensive experience in locating and apprehending fugitives.

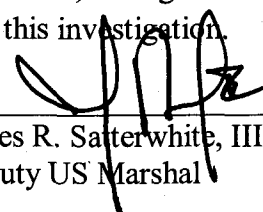
This affiant certifies that on April 17, 2012, an arrest warrant was issued for Ismael MARTINEZ RODRIGUEZ (a.k.a. Olegario AVILA RODRIGUEZ) in the Western District of Virginia, Abingdon Division, charging the target with Conspiracy to Defraud the United States via Fraudulent Checks. RODRIGUEZ, an illegal alien that was deported twice to Mexico and having previously been convicted federally for similar crimes in 2002, has fled prosecution and is considered a fugitive from justice.

On September 02, 2014, the United States Marshals Service has adopted this case for apprehension purposes, per agreement with the United States Secret Service. Utilizing information discovered during my routine investigation and intelligence received from ICE, I was able to locate the fugitives Facebook account; Olegario Avila Rodriguez, ID # 100007684579366. This lead was corroborated by the subject's name, which was known to ICE as an alias and used by the target during his previous attempt to enter the United States illegally. Further, I was able to identify his Facebook profile picture he posted on October 19, 2014, as being the same person as photographed by ICE during their booking procedure. RODRIGUEZ also denotes on Facebook that he was born and resides in the city of Puebla, which was also previously provided to ICE by the target.

The affiant knows, from training and experience, that Facebook, Inc. is a company capable of providing the information that would assist in locating this federal fugitive. Further, the Geo-location information; Uploads; internet protocol log activations; friends list; subscriber information; billing information; and any phone numbers attached to said account, would also assist in furthering this investigation.

Reviewed BY: _____

JB 10/29/14
AUSA


James R. Satterwhite, III
Deputy US Marshal


Honorable Pamela M. Sargent
United States Magistrate Judge

DATE: 10/30/14

Attachment (B)

Application for Search Warrant

Facebook, Inc.

Electronic Storage Databases

AVILA RODRIGUEZ - windows Internet Explorer

facebook.com/mexico/str/patricia%2520rodriguez/users-named#!/profile.php?id=100007684579366

Google

Facebook Search

Olegario Avila Rodriguez

Timeline About Photos Friends More

DO YOU KNOW OLEGARIO?

To see what he shares with friends, send him a friend request.

ABOUT

- Studied at Universidad Justo Sierra
- Lives in Puebla, Puebla
- From Puebla, Puebla

PHOTOS

Olegario Avila Rodriguez changed his profile picture.

October 19 at 7:24pm

Share

Sponsored by

Could it Be ADHD?
ADHD may show in many settings. Check out a symptom tracker and talk to your doctor.

Sign up and save 15¢/gal
Go to g.doubleclick.net
New Fuel Rewards Network™
Members get a 25¢/gal sign up bonus at Shell.

Recent
2014
Som

Attachment (C)

Application for Search Warrant

Facebook, Inc.

Electronic Storage Databases

Stored Electronic Records attached to the Facebook user account address:

<https://www.facebook.com/search/str/%2520puebla%2520mexico/str/patricia%2520rodriguez/users-named#!/profile.php?id=100007684579366&fref=ts>, or Oelgario Avila Rodriguez, for the time period of September 01, 2014 through October 29, 2014, to include all content, uploads, Geo-location information, messaging content, internet protocol log activations, friends list, subscriber information, billing information and any phone numbers attached to said account.